

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARLES CASTON,

Plaintiff,

-against-

CITY OF PHILADELPHIA POLICE
DEPARTMENT, et al.,

Defendants.

1:21-CV-7156 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated August 26, 2021, the Court directed Plaintiff, within thirty days, to submit a declaration with his original signature. The Court issued that order to allow Plaintiff an opportunity to cure his lack of signature with respect to his complaint and his application for a temporary restraining order. The August 26, 2021 order specified that failure to comply would result in dismissal of this action. Plaintiff has not submitted a declaration. Accordingly, Plaintiff's application for a temporary restraining order is denied, and this action is dismissed, without prejudice. *See* Fed. R. Civ. P. 11(a).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: October 27, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge